

City of Alexandria

MEMORANDUM

DATE: JANUARY 6, 2004

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*

SUBJECT: ITEMS FOR DISCUSSION WITH CONGRESSMAN JAMES P. MORAN

On January 12, 2004, at 8:00 a.m., Council will hold its annual work session with Congressman James P. Moran to discuss federal issues of concern to the City. The following is a summary of the issues that staff recommends for this discussion.

Improvements Needed Related to Homeland Security

1. Perimeter Security Upgrades for the Public Safety Center and Deputy Sheriff Overtime.

As a result of the events of September 11, two highly-visible terrorist trials were scheduled to take place at the Alexandria Federal Courthouse. The first of these, the trial of John Walker Lindh, is now over. Still being housed at the Public Safety Center is Zacarias Moussaoui. In addition, other individuals are being detained at the Public Safety Center as a result of their alleged ties to terrorist groups.

The City of Alexandria has responded to the dangers that accompany the incarceration of alleged terrorists by significantly improving security at the Alexandria Public Safety Center (PSC), at great cost to the City. Physical improvements include fencing and gates that prevent anyone from entering the PSC property without prior approval by one of the deputy sheriffs stationed at the gates to check visitors; crash walls and other physical barriers designed to stop trucks and other vehicles that could be carrying bombs or other weapons of mass destruction; a new, stand-alone building that will serve as a secure visitors' screening center; more intense outdoor lighting; new audiovisual and other monitoring equipment; and parking lots that have been relocated to accommodate the fencing and other improvements. The total cost for these improvements will be \$5.3 million.

The physical improvements made around the perimeter of the Public Safety Center will not be effective unless personnel are kept on duty at all times to guard the perimeter and check the identity of visitors to the Public Safety Center. Deputies from the Sheriff's Office have provided security on a 24-hour basis, 7 days a week. The Alexandria Sheriff has been authorized to hire and train 9 new deputies for this purpose. Until this hiring and training is completed, existing

deputies have been assigned to overtime duties, at a cost to the City of \$1,444,445 for the period from December 1, 2001, through December 31, 2003.

The cost for the perimeter upgrades to the PSC and the deputy sheriff overtime totaled \$6,744,445, but the City has received only \$3,529,990 in federal funds to pay for these costs (\$2 million from the U.S. Marshals Service, and \$1,529,990 in Congressional earmarks). The City requests a final Congressional earmark of \$3,214,455 to cover the remainder of these costs.

2. Mobile Computers for First-Line Responders. The Alexandria Police Department has become a technology leader in Law Enforcement with the development of its Tactical Computer System. Under this initiative, the Department is seeking to place computer technology into the hands of officers on the street. When fully implemented, many of the traditional paper systems and data bases will be replaced with real time data collection and dissemination. Police officers will be able to complete reports electronically, query complex databases electronically, and stay in full communication with other officers and headquarters by electronic messaging. A mobile intranet instantaneously delivers intelligence data, including text and photographs.

With these technology advances, the laptop computer has become an indispensable tool for every police first-responder. As the events of September 11, 2001, demonstrated, cellular and land-line communications become clogged and unusable during crises. The Department's Tactical Computer System bypasses this problem and allows officers to continue communications.

Currently, the Alexandria Police Department has 267 Panasonic Toughbook computers. The Department needs 50 more computers to provide each sworn officer with a laptop. The City requests \$400,000 in federal funds to purchase the necessary hardware, software and accessories. The City made a similar request for federal funding last year, but this was not included in any federal appropriation.

3. Northern Virginia Regional Information Technology Recovery Center. During a homeland security or other emergency or disaster, local governments rely upon critical information technology infrastructure to deliver rescue and recovery services to citizens and businesses. If the emergency or disaster event affects a jurisdiction's ability to provide reliable information technology services, the jurisdiction must provide that service from an alternate location. There is no reason why a number of jurisdictions in a region cannot join together to establish a common alternate site, and most of the cities and counties (and at least one town) in Northern Virginia would like to develop a joint regional information technology recovery site as a national demonstration project.¹

The information technology recovery center would be used to remotely back up each

¹The jurisdictions which thus far have indicated a desire to take part in this project are the Cities of Alexandria, Fairfax, and Manassas; the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Town of Vienna.

jurisdiction's data, on a daily or other regular basis. Ideally, the jurisdictions will be able to perform this routine operation from within the jurisdiction. If an emergency occurs and the information technology services cannot be operated at their usual site (within the jurisdiction), jurisdictional staff will be shifted to the alternate location where they can provide the necessary information technology services to the jurisdiction.

Undertaking this as a demonstration project will allow this region to test this concept and determine problems (logistical, governance, etc.) that must be addressed before other localities can establish similar regional centers.

The participating localities have recently initiated a feasibility study, using their own funds, to ensure that the concept is not flawed and can be implemented. Assuming they receive positive findings from the feasibility study, they estimate that they will need \$3 to 9 million to establish the center (the feasibility study should establish a more specific estimate by March 1), and are seeking federal funds to pay for it. Local funding will be used for operating costs in future years.

4. Emergency Operations Center. The City of Alexandria's Emergency Operations Center (EOC) is located at the Fire Department's Training Center on Lee Street, in a building that was built and formerly used as a school. The building is not considered secure for EOC purposes. Furthermore, the room used as an EOC was not designed for and is not really suitable for that purpose in today's environment. It is ordinarily used as a training facility for firefighters, and requires several hours to move furniture and set up phone, computer, and facsimile lines when an emergency is declared. This "changeover" time results in precious time being lost.

The City needs to move the EOC and locate it in a hardened, less vulnerable building with suitable perimeter security so that it can adequately respond to today's homeland security threats and other emergencies. Such a facility would also allow the City to equip it with state-of-the-art equipment that would not have to be assembled and the dismantled before and after each emergency.

The City has not done any site-specific planning for a new EOC, but believes (based on the recent experience of Montgomery County, which just relocated its EOC) that the cost of relocating Alexandria's facility would be approximately \$6.5 million.

If Congress makes federal funding available to localities for this purpose, the City would appreciate having its EOC needs included.

Transportation Capital

5. Bus Shelters. Alexandria provides a vital transportation link through its DASH bus system for travelers coming into and through the City. More people will use the DASH system, thereby reducing the system's government subsidy and improving air quality, if transit ridership is made more attractive. One of the ways to do this is by providing shelters to protect people from bad

weather while they are waiting for the bus. The City does not have sufficient funds to provide all the new bus shelters that are needed or to replace existing ones. The City requests \$500,000 in federal funds to provide for approximately 50 City-owned bus shelters (some new, some as replacements to existing shelters) to accommodate users of this alternative transportation mode.

6. Fiber Optic Cable for Traffic Signal Coordination. The City of Alexandria is completing a fiber optic installation project (partially funded with federal Intelligent Transportation System [ITS] funds secured with Congressman Moran's help) along Duke Street from Beauregard Street to Old Town. Fiber optic communication lines allow for coordination of signals among the region's jurisdictions to move traffic more smoothly and thereby improve air quality in this severe non-attainment area. Installing fiber optics on Route 1 through the City will allow us to optimize signal timing on another major interjurisdictional highway, resulting in improved traffic flow and air quality. The City of Alexandria is requesting \$2 million in ITS funds to install conduit and cable within this corridor.

Waterfront

7. Alexandria's Waterfront – Funding for Community Planning for the Waterfront at the Foot of King Street. Since the early 1970's, the United States has claimed ownership of several parcels of land at the foot of King Street (the Old Dominion Boat Club and five additional properties along the Strand). Litigation initiated by the federal government has been pending for over 30 years, with no end in sight. Working with the property owners, the community and the National Park Service, the City would like to develop a plan for these properties, which would outline their long term uses and ensure their consistency with other uses along the waterfront.

The City requests \$250,000 in federal funds to retain consultants who would assist in the development of a plan for these and adjacent properties, and to help in any property acquisition called for by the plan. The City would also like the Congressman's assistance in scheduling a meeting with the appropriate federal officials to discuss the best way to proceed with this initiative.

8. City Waterfront Bulkheads – The City has several aged bulkheads which provide stability to the waterfront and allow people (residents as well as visitors) to use waterfront parks and public access. The deteriorated bulkheads are located primarily at the Torpedo Factory and Windmill Hill Park. These bulkheads are in poor condition and continue to deteriorate, in part due to the routine flooding in the Old Town area. The fluctuations in the water level have caused wash out behind the bulkheads, creating cavities that further weaken the structures. The condition of the bulkheads may also contribute to the periodic flooding of this area by the Potomac River. The City requests \$500,000 to initiate the studies that will be required prior to the replacement of any of these structures (the complete cost of rehabilitation is estimated at \$3 million).

Sewer Infrastructure

9. Infiltration & Inflow Funding. Many areas of the City have aging and deteriorating sanitary sewers. Repairing or replacing these sewers is very expensive. In the FY 02 and 03 federal budgets, Congressman Moran was successful in getting Alexandria \$1.575 million in federal appropriations to help pay for the construction of a bypass sewage line from the Four Mile Run Pumping Station to the Potomac Yard Interceptor Line. This bypass will reduce sewage overflows into the Four Mile Run Creek, which is a part of the Chesapeake Bay watershed.

Recent studies undertaken for the City analyzed additional problems with the sanitary sewer system in the northeastern part of the City, where the bypass sewer line is being installed. These studies detected significant infiltration and inflow problems, which allow ground and storm water to enter the sewers during wet weather periods. This results in basement backups and sanitary sewer overflows, which eventually find their way into Four Mile Run Creek and the Chesapeake Bay watershed. Correction of these infiltration and inflow problems is expected to cost approximately \$10 million. The City would appreciate additional federal financial assistance for this project.

Bicycle/Multi-Use Trails

10. Potomac River/George Washington Parkway Bike Trail. The Northern Waterfront section of the bicycle/multi-use trail from Oronoco Bay to Dangerfield Island (the northern portion is owned by the National Park Service, while the City owns the southern portion) is in need of resurfacing and regrading. This section of trail also needs to be widened where possible to meet off-road trail standards of AASHTO (American Association of State Highway and Transportation Officials). This trail is currently under application to be designated as part of the Potomac Heritage Trail System. We estimate the cost of the resurfacing, regrading, and widening (for both the NPS and City-owned portions) to be \$275,000, and request federal funds to pay for it.

11. Dora Kelley Trail. The Dora Kelley Park/Buddie Ford Nature Center multi-use trail system, approximately 2 miles, also needs regrading, resurfacing, and widening, and possibly the replacement of some wooden bridges. This is an extension of the Holmes Run Trail, which has already been improved using federal earmark funding. We would also appreciate federal funds for this project, which we will undertake in phases over two years, at an estimated cost of approximately \$400,000.

Air Quality

12. Particulate Emissions. The City of Alexandria and neighbors of the Mirant plant in North Old Town are concerned about particulate emissions coming from the plant, and their effect on air quality. The City is arranging for Dr. Jonathan Levy, of the Harvard School of Public Health, to analyze data on emissions in the area immediately proximate to the plant. In order to better

understand the air quality effects the plant's emissions have on additional neighborhoods in Arlington and Alexandria, additional study is needed. The City requests \$200,000 in federal funds to have a consultant conduct such a study.

Taxing Authority

13. Internet Tax Freedom Act. Last Session, Congress came close to enacting S. 150, which would have extended the provisions of the Internet Tax Freedom Act. This Act, which prohibited the taxation of access charges for Internet connections, expired October 31, 2003. S. 150 and its companion, H.R. 49, were introduced to extend the October 31 sunset provision. Much more troubling than the extension of the sunset, however, is the fact that the bills would have expanded the ban to include state and local taxes on telecommunications services to the extent "such services are used to provide Internet access."

The City was concerned that the bills' language threatens two traditional, yet separate and distinct, municipal powers:

- the ability to impose local utility taxes on traditional telephone and telecommunications services; and
- the ability of local governments to impose franchise fees as "rent" for use of public rights-of-way on companies, such as telecommunications and cable service providers, that use public property for private profit.

Federal preemption of these rights would have resulted in significant financial losses to the City. If the City were forced to discontinue its utility tax on telecommunications services, it would lose about \$8 million in annual revenue. This is the equivalent of over four cents on the real property tax, which is the only tax available to the City to make up for such a significant revenue loss.

The City expects this legislation to be reintroduced early in 2004. If Congress agrees to reenact the Internet Tax Freedom Act, the City and other local governments ask that the legislation make absolutely clear that the intent of Congress is not to limit the imposition or collection of any local government utility taxes or rights-of-way fees applicable to telecommunications.

WMATA Metrobus Facility

14. Relocation of "Bus Barn." WMATA operates a facility in North Old Town that services a portion of the Metrobus fleet. This facility has been there for many years, but a number of neighborhood residents feel that it should be relocated to an area that is less residential in nature. Noise and bright lights cause disruptions to the neighborhood, often in the middle of the night when buses are being started and operations initiated for early morning bus runs. The City and Congressman Moran have both expressed an interest in having the facility moved in the past, but this has not happened. Staff recommends that this issue be discussed, to determine how to facilitate the relocation of this facility.

STAFF:

Bernard Caton, Legislative Director